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March 16, 1955.

Attorney General's

George F. Nelson
Assistant Attorney General

NEW HAMPSHIRE LAW LIBRARY

Enoch D. Fuller, Secretary of State
State House
Concord

SEP 22 1998

CONCORD, N.H.

Dear Mr. Fuller:

With reference to the request from Maas-Rowe Carillons that the term "Carillon Bells" be not registered as the trade name of Schulmerich Electronics, Inc., I advise as follows:

In view of the decision in Schulmerich Electronics, Inc. vs. J. C. Deagan, Inc., 202 F2d 772, unless further qualified the term "Carillon Bells" is not registrable to any individual. I do not think it is good judgment to try to establish hard and fast rules for the future in view of the fact that if the issue actually arises further persuasive arguments may be offered by other parties on this subject. For the moment I would suggest merely that you insert in the appropriate place in your index a cross reference to this correspondence and to Maas-Rowe Carillons' letter of February 21, 1955 and not "cross the bridge until you come to it." Merely make a note that as of this date and on the state of the information which we have at present it does not seem proper for the exclusive right to the name of "carillon bells" alone to be enjoyed by any one company.

Very truly yours,

George F. Nelson
Assistant Attorney General

GFN:L